

REMARKS

In the Office Action mailed March 9, 2004, the Examiner noted that claims 1-18 were pending, and rejected claims 1-18. Claims 1 and 4 have been amended, new claims 19-24 have been added and, thus, in view of the forgoing claims 1-24 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

Pages 2 and 4 of the Office Action reject all claims under 35 U.S.C. § 103 over various combinations of Nakajima, Yamakawa and Kanno, with Nakajima being the primary reference.

The present invention is designed to speed up the process of presenting images to a user that have been color corrected in a way as preferred by the user. In the invention color a color images is output to a user with at least two levels of color correction shown. That is, an original image is shown as several corrected images. The user is allowed to select a preferred color corrected image. Data defining the color correction preference of the user is derived and stored. The next time, or whenever, the user wants to display another color image, the new image is automatically corrected based on the preference data. (See, for example, claim 1.)

In Nakajima a user is presented with thumbnails of an image in which each thumbnail has been processed differently. The user is then allowed to adjust the color of the thumbnails on the screen using a pointing device. The set of thumbnails is then output to an output device, such as a printer. The output thumbnails are then visually compared by the user and the user can select one of the thumbnail images that best matches the printout or make further adjustments. In this way the user can select a processed image that most closely matches the printout image. This process is designed to allow the user to easily calibrate the output device, so that the viewed image and the output image match. Once the calibration is complete all images sent to the output device are processed in the same way. This process essentially has nothing to do with user preferences, but instead is about device calibration. This is in contrast to the present invention where a user preference is stored and used to process images for that user. The present invention could be used with Nakajima but two corrections would be performed for each user. One correction would be for the Nakajima calibration and then a further correction in accordance with the present invention for the preference of the user.

Yamakawa is also directed to calibrating devices and does not address the user preference image adjustment feature of the present invention. As a result, Yamakawa adds nothing to Nakajima with respect to the features of the invention discussed above.

Kanno is directed to performing a calibration type adjustment and does not address the user preference image adjustment feature of the present invention. As a result, Kanno adds nothing to Nakajima and/or Yamakawa with respect to the features of the invention discussed above.

It is submitted that the invention of independent claims distinguish over the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claims 3 and 20 emphasize that the user is allowed to select preferred adjustments for different types of images. Nothing in the prior art teaches or suggests this. It is submitted that the dependent claims are independently patentable over the prior art.

New claim 24 emphasizes that correction or adjustment preferences are stored for a number of users and used to correct images for the corresponding users. Nothing in the prior art teaches or suggests such. It is submitted that the new claim distinguishes over the prior art.

It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on JUNE 9, 2004
STAAS & HALSEY

By: Linda Woods
Date: 6-9-04